Article - Natural Resources

§8–1004.1.

(a)   Notwithstanding any other provision of this subtitle, to the extent that a project consists of nonstructural shore erosion control measures, the Department may:

(1)   Require the owner of the benefited property to initially incur some or all of the project costs for nonstructural measures; and

(2)   Provide assistance in the form of reimbursements to the owner.

(b)   To be entitled to receive any reimbursements under this section, the owner of the benefited property shall have entered into a project agreement with the Department before incurring any costs. The Department shall estimate the total amount of project costs for nonstructural measures and shall establish in the agreement as the maximum amount of assistance which will be available for the project 50% of that estimate. The Department may include in the project agreement conditions under which the owner may be entitled to receive reimbursement, including conditioning the reimbursement upon the successful establishment of any vegetative elements of the project.

(c)   The Department may reimburse the owner of a benefited property for 50% of the actual project costs or for the maximum available amount established in the project agreement, whichever is less. If the Department, through its employees, agents, or contractors, has designed or installed all or part of the nonstructural measures, the Department shall include as actual project costs the value of any labor or materials contributed by the State. The value of these items already contributed by the State shall be deducted from the amount to be reimbursed to the owner.

(d)   In carrying out this section, the Department may utilize any general, special, State reimbursable, or federal reimbursable funds appropriated in the budget for nonstructural shore erosion control. Appropriations and expenditures of funds for the purposes of this section may not be subject to any provision of §§ 8-1005 through 8-1007 of this subtitle.